

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

FILED ENTERED	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
MAR 25 2013	
Copy Rtm	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

UNITED STATES OF AMERICA,

Plaintff

WALKER RIVER PAIUTE TRIBE, )

Plaintiff-Intervenor

vs.

WALKER RIVER IRRIGATION DISTRICT,

a corporation, et al.,

Defendant

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

**NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE**

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
999 18<sup>th</sup> Street, South Terrace - Suite 370  
Denver, Colorado 80202

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

Phone Number:

Fax Number:

E-mail Address:

PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.

"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

\* I also reserve the defense that the Court lacks jurisdiction as to any ground water under or about my property because there is no hydrologic connection between such ground water and any surface water.

(Signature)

Timothy W. Pemberton, Attorney in

(Printed or typed Name)

Shane Brandon  
1328 Cunningham Lane  
Coleville, CA

(Entity, if any, on whose  
behalf you are appearing)  
c/o Timothy W. Pemberton  
P.O. Box 485  
Markleeville, CA 96120

(Address)

(530) 694-2490  
(Telephone number)

1  
2 **PROOF OF SERVICE**

3  
4 I, the undersigned, declare:

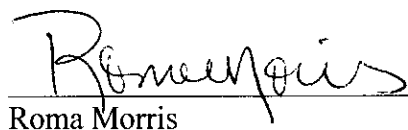
5 That at all times herein I was over the age of 18 years, not a party to the within action and  
6 that on this date I served upon those listed below the following:

7 **WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**  
8 **NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE**  
9

10 [XX] BY MAIL: by placing true and correct copies thereof into the United States Mail, with first-  
11 class postage fully prepaid thereon, addressed as follows:  
12  
13

14 Susan L. Schneider  
15 Attorney for the USA  
16 US Department of Justice  
17 Environment & Natural Resources Division  
18 999 18<sup>th</sup> Street, South Terrace - Suite 370  
19 Denver, CO 80202

20 I declare under penalty of perjury under the laws of the State of California that the foregoing  
21 is true and correct and that this declaration is made at Woodfords, California, on March 19, 2013.

22   
Roma Morris